

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE**

WRIT PETITION NO. 5126 OF 2002.

M/s Examious Ventures Pvt.Ltd & ors... Petitioner.
V/s.
Maharashtra State Financial
Corporation & ors. ... Respondents.

Mr. N.R. Bubna for the petitioner.

Ms. Shaikh for the respondents.

CORAM : V.C.DAGA & J.P.DEVADHAR, JJ.

DATED : 8.6.2006.

P.C. :

. Mr. Bubna, learned Counsel appearing for the petitioner submits that in view of the order dated 30th October 2002 passed by this Court at the time of admission, the respondents have granted registration certificate in favour of the petitioner after receiving deposit of Rs. 2 lacs.

2. He further submits that after hearing the parties, the Tribunal vide order dated 5.9.2003, has remitted back the matter to the first appellate Court for decision afresh and the remanded matter is still pending for adjudication afresh.

3. In the above view of the matter, learned Counsel for the petitioner submits that nothing survives in the present petition. He however, submits that the order dated 30.10.2002 under which

registration was ordered be allowed to continue during the pendency of the remitted proceedings on the same condition treating it as provisional and subject to final outcome of the proceedings pending before the authority below.

4. Having heard and considered the submissions made, we dispose of this petition and make the rule absolute in terms of the order dated 30.10.2002 with a clarification that registration granted under order dated 30.10.2002 shall be provisional and subject to the result of the proceeding pending before the authorities below.

5. All contentions raised by parties are kept open. Writ petition accordingly stands disposed of and rule is made absolute in terms of this order with no order as to costs.

6. In view of disposal of the writ petition, no separate orders on civil application are necessary. Civil application stands disposed of with no order as to costs.

(V.C.DAGA,J.)

(J.P.DEVADHAR,J.)